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1. The Cause of Action occurred in County Of Hudson, the City of Jersey City, in the State of New Jersey.
2. The amount in controversy exceeds the sum of seventy five thousand dollars (\$75,000.00) not including interest and costs.
3. The Court has jurisdiction pursuant to 28 U.S.C. 1332.
4. Venue is proper pursuant to 28 U.S.C. 1391 (a) and (c).

SECOND COUNT

1. On or about the January 24, 2020, the plaintiff, MIGUEL CRUZ, was an employee of SIMS METAL MANAGEMENT located at 1 Linden Avenue in the City of Jersey City, New Jersey 07305.

2. At the time and place aforesaid, the defendant, EDWARD R. JOERGENS, was an employee of The CITY OF NEW YORK and NEW YORK CITY DEPARTMENT OF SANITATION and operator of a Mack Garbage Truck owned by the CITY OF NEW YORK AND NEW YORK CITY DEPARTMENT OF SANITATION, did so negligently and carelessly own, operate and/or maintain his aforesaid Mack Garbage Truck so as to cause said vehicle to strike plaintiff, MIGUEL CRUZ, causing him to fall to the ground and roll over him, causing plaintiff severe injuries.

3. As a direct and proximate result of the aforesaid negligence of the defendants, EDWARD R. JOERGENS, THE CITY OF NEW YORK, AND NEW YORK CITY DEPARTMENT OF SANITATION, plaintiff, MIGUEL CRUZ, was caused to sustain severe, serious and permanent injuries; he was caused to suffer great pain and anguish and will in the future be caused to suffer great pain and anguish; was caused to incur medical expenses and will in the future be caused to incur medical expenses; has been and will in the future be disabled and prevented from attending to his necessary affairs and business.

WHEREFORE, the plaintiff, MIGUEL CRUZ, demands Judgment against all defendants, jointly, severally or in the alternative, for damages, interest and cost of suit.

THIRD COUNT

1. The plaintiff repeats the allegations contained in the First Count as if the same were more fully set forth herein and made a part hereof.

2. Defendants, NEW YORK CITY, NEW YORK CITY DEPARTMENT OF SANITATION, JOHN DOES 1-10, (representing presently unidentified individuals, businesses and/or corporations who owned, operated, maintained, supervised, designed, constructed, repaired and/or controlled the vehicle in question or otherwise employed the defendants) and ABC COMPANY 1-10 (representing presently unidentified individuals, businesses and/or corporations who owned, operated, maintained, supervised, designed, constructed, repaired and/or controlled the vehicle or employee in question or otherwise employed the defendants), were responsible for the ownership, operation, maintenance, control, supervision and/or repair of the aforementioned subject vehicles or otherwise employed the defendants, were negligent in the manner in which the said vehicles were owned, operated, maintained, controlled, supervised and/or repaired, and negligently employed EDWARD R. JORGENS.

3. As a direct and proximate cause of the negligence of defendants, NEW YORK CITY, NEW YORK CITY DEPARTMENT OF SANITATION, JOHN DOES 1-10 and ABC COMPANY 1-10 (representing presently unidentified individuals, businesses and/or corporations who owned, operated, maintained, supervised, designed, constructed, repaired and/or controlled the vehicle or employee in question or otherwise employed the defendants), the plaintiff, MIGUEL CRUZ, was caused to sustain severe, serious and permanent injuries; he was caused to suffer great pain and anguish and will in the future be caused to suffer great pain and anguish; was caused to incur medical expenses and will in the future be caused to incur medical expenses; has been and will in the future be disabled and prevented from attending to his necessary affairs and business.

WHEREFORE, the plaintiff, MIGUEL CRUZ, demands judgment against all defendants, jointly, severally or in the alternative, for damages, interest and cost of suit.

FOURTH COUNT

1. The plaintiff, MIGUEL CRUZ, repeats the allegations contained in the First and Second Counts as if the same were more fully set forth herein and made a part hereof.

2. Plaintiff alleges that there was a violation of New Jersey Motor Vehicle Statutes, N.J.S.A. 39:4-97, and other Motor Vehicle Regulations, which violations constitute a statutory tort.

WHEREFORE, the plaintiff, MIGUEL CRUZ, demands Judgment against the defendants, jointly, severally or in the alternative, for damages, interest and cost of suit.

MIKITA & ROCCANOVA, LLC
Attorneys for Plaintiff

Dated: January 20, 2022

By:


WILLIAM P. MIKITA, JR., ESQ.

DESIGNATION OF TRIAL COUNSEL

PLEASE TAKE NOTICE that pursuant to R.4:25-4, William P. Mikita, Jr., Esquire, is hereby designated as trial counsel in the above matter for the firm of Mikita & Roccanova, LLC, attorneys for the plaintiff.

MIKITA & ROCCANOVA, LLC
Attorneys for Plaintiff

Dated: January 20, 2022

By:


WILLIAM P. MIKITA, JR., ESQ.

JURY DEMAND

PLEASE TAKE NOTICE THAT, the plaintiff, pursuant to R. 4:35-1 hereby demands a trial by jury.

CERTIFICATION

I hereby certify that this matter is not the subject matter of any other suit presently pending in any other Court or in any Arbitration proceeding. At this time, we know of no other parties not named herein that should be joined.

MIKITA & ROCCANOVA, LLC
Attorneys for Plaintiff

Dated: January 20, 2022

By:


WILLIAM P. MIKITA, JR., ESQ.